

THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3RD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, MARCH 6, 2007 AT 3:30 P.M.

PRESENT: Chairman Mayor James Garner, Vice Chairman Bill Utz, Kevin Zurschmiede, Todd Solomon and Larry Kochert.

OTHERS: Attorney Greg Fifer, Tim Crawford, Brian Dixon and Rob Sartell, EMC, and City Clerk Marcey Wisman.

CALL TO ORDER:

Mayor Garner called the meeting to order at 3:48 p.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Utz made a motion to accept the February 6th and 20th meeting minutes as corrected, Mr. Kochert second, all voted in favor.

COMMUNICATIONS - PUBLIC:

Mr. Copperwaite stated that he was here on behalf of Mr. Unrue again and he was told at the last meeting that the board would like time to review his request. In response to Mr. Fifer's question regarding the CTA for Wild Wood he is waiting on the documentation from the attorney and he would like an approval of the credits contingent upon Mr. Fifer receiving the information that he requested.

Mr. Fifer stated that they need to receive confirmation that it is outside their CTA or they are consenting to service if it is inside their CTA.

Mr. Dixon stated that he is not aware of any problems in that area except for the Tree Top Apartments, but that was their line that had the issue and they are handling it.

Mr. Cooperwaite stated that this project will not reach the 15,500 credits .

Mr. Fifer stated that he sent the additional documentation that Rob got together for him regarding the completion of the Robert E. Lee interceptor and expects confirmation within the next few weeks about the additional 340, 000 credits.

Mr. Utz moved to approve Mr. Copperwaite's request contingent upon receiving the requested information, Mr. Kochert second, all voted in favor.

Mr. Doos, E-Z Construction, is building a restroom for the Parks department and needs credits.

Mr. Dixon stated that there is not a procedure for calculating credits for just a restroom in a park so they figured at the minimum of 40 credits.

Mr. Utz moved for the approval of 40 credits, Mr. Zurschmiede second, all voted in favor.

Debra Walker addressed the board regarding the liens that are being filed against the landlords for the unpaid sewer bills left by tenants and she feels that this is an undue burden for the landlords.

Mr. Walker stated that they received a letter telling them they have to pay past due bills from 4 years ago

Mr. Fifer explained that they are following the State Statute. He stated that he would have no problem waiving the late fees and penalties if they are willing to work out a way to pay off the current outstanding bill.

Mr. Walker stated that there are issues it that these bills are from several years past and they are just now getting notice saying you have to pay or else and they are looking for some time frame to pay.

Mr. Fifer stated that he is fine with that. If it takes them sixty day or six months, they just need to get with Ms. Welsh with what they arrangement is and once the bill is current he would recommend to the board to waive the late fees and penalties.

Mr. Walker wanted to know if the lien was still going to be recorded even if they made arrangements to pay.

Mr. Fifer said he would have no problem not recording the lien as long as they made arrangements to pay and didn't miss payments, and he would have no problem recommending that to the board.

Ms. Walker asked if it would be possible to have some type of credit check or deposit in the future to keep this from happening.

Mr. Fifer stated that the city does not own the water company and as far as sewer service it is never shut off and you can not cut sewer service off.

Mayor Garner stated that it would be in their best interest to do a credit check on their tenants and get a deposit on the sewer service.

Ms. Welsh stated that they could come to the office and they would get together everything that was owed, and they would set up a payment plan.

Mr. Frank Alford, stated that he has a problem with IN-AWC turning the water over into his name without his authorization

Mayor Garner stated that whether the house is occupied or not the sewer bill is still due because it is still connected to they system.

Mr. Fifer stated that unfortunately we have no control over them from a regulatory or contractual standpoint. Any complaint with the service they provide has to be filed in Indianapolis with the Utility Regulatory Commission. He told Mr. Alford to contact Ms. Welsh for that information.

COMMUNICATIONS - CITY OFFICIALS

Kay Garry re: division of Employee salaries for Stormwater and Sewer

Mrs. Garry presented a memo answering questions that had to be asked by Mr. Solomon. Said memo is on file with the City Clerk's office.

Mr. Solomon asked for the names of all the employees being paid out of the sewer utility and he wanted to see the invoices for all the contracted individuals such as EMC and Greg Fifer.

Mrs. Garry said that if they want to see those invoices prior to payment then they need to have Brian and Kelly to present their claims to the board prior to them being presented to the controller's office. She then discussed incorrect information that she has found in

the December/year end report from Melhiser, Endres and Tucker.

Mrs. Welsh presented an adjustment for Sheldon McCullum who had a water leak at 1622 King Street. The leak was caused by a corroded copper pipe at the meter.

Mr. Solomon asked if they could hold up on making a decision on this

Mr. Kochert approved the adjustment if he makes the bill current within 30 days, Mr. Utz second, all voted in favor.

Mrs. Welsh presented quotes that she received on copy machines and spreadsheets showing paid pre-liens

Mayor Garner asked if there is a limit they can set for pre-lien letters because there were letters sent out for amounts smaller than what it cost to send the letter.

Mrs. Welsh stated that the State Statute says \$40.00

There was a lengthy discussion regarding the minimum amount to go after with a pre-lien letter.

Mr. Utz asked Ms. Welsh to make sure that she is keeping the board informed of everything that she is doing.

Mr. Utz made a motion to not file a pre-lien or a lien on anything less than \$20.00, Mr. Solomon second, all voted in favor.

Mr. Solomon asked Mr. Elling if the expected incremental flow to basin 35-40 is 2.34 million.

Mr. Elling said that was correct.

Mr. Solomon stated that Mayor Garner had questioned how wise it would be to make those improvements at a \$14.5 million price tag, and he explained if you take the 2.34 million gallons per day incremental flow and take 310 gallons per day per EDU and 3000 for sewer tap, that generates \$22.5 million for tap fees. He stated if you get 2/3 billed out you are still covered up to that point.

Mr. Solomon stated that he will not be at the next meeting and he will be late for the first meetings of the month. He asked Mr. Dixon about whether or not they have reached an agreement with Planning and Zoning.

Mr. Dixon stated that he has been working on this and has discovered that they have the right to request the plans so that they can know what is being proposed by developers before an allocation letter is issued and credits are issued. He stated that they should be getting proposed plans and “as built” plans.

Mr. Solomon stated that we need to get a handle on this issue because we need to know what developments are hooking into our system and where.

Mr. Sartell stated that they need to create a check list for what needs to be done by the developers

Mr. Solomon stated that they also need to consider charging a review fee of the developments.

Mayor Garner asked Mr. Dixon to check on what is being charged in surrounding areas.

Mr. Solomon asked for an up-date on the 15th Street repairs.

Mr. Dixon stated that they have dug the manhole, and today they were digging the 8” line and that it should be done by the end of this week.

Mr. Elling stated that the he stopped by there earlier and that they have the line connected.

Mr. Solomon asked if Mr. Dixon had checked on the costs for pumping and televising.

Mr. Dixon stated that he has called and sent emails to two companies (pipe eyes and hydromax) and he has not heard anything back from either company.

Mr. Solomon asked if anyone is tracking the capacity of the Lafollette line.

Mr. Christmas stated that he is currently trying to find out what is up there right now as a part of the study they are doing now.

Mr. Solomon asked if the bids for Lewis Street are on hold.

Mr. Dixon stated that it was.

Mr. Solomon asked if Mr. Dixon has any memo’s on the grease problems in the sewers.

Mr. Dixon stated that he did have something but they weren’t sure how to get it out to the customers.

Mayor Garner asked if this couldn’t be done in the water bills. He also stated that they need to decide if they are going to keep the summer watering program the same so they can get the information to the water company.

Mr. Utz stated that he felt that they needed to move it back to May because more people are filling pools than there are people watering in the fall.

There was a lengthy discussion as to what would be the best months for the summer watering program.

Mr. Utz made a motion to change the summer watering program to May 1 through September 31,

Mayor Garner stated that this may have a financial impact.

Mr. Solomon stated that he should have had Umbaugh do a financial analysis of the summer program.

There was a lengthy discussion regarding the summer watering program.

Mr. Solomon asked if we could have Umbaugh look into this because he would like to see what it would be for May 1 through October 30.

Mr. Utz withdrew his motion.

Mayor Garner stated that he believes that Melhisier can calculate the impact.

Mr. Fifer stated that he would ask Mr. McCormick if he could do this.

Mr. Solomon stated that he found a couple of things that needed to be adjusted on the Capital Improvement Plan.

Mr. Dixon stated that he found those and he has a new copy for him today.

Mr. Elling stated that they went over it and it went down by \$3M.

Mr. Solomon asked if they have looked into the Wolf Glass connection.

Mr. Dixon stated that they dye tested and everything they looked at is connected to the sewer system except the house on Main Street which they were already aware of.

Mr. Solomon asked if they checked out the Silver Street property.

Mr. Dixon stated that the apartment lines are connected to the lines for the house on the same lot and they do receive a separate bill.

Mr. Solomon asked Mr. Fifer if he sent a letter to the Kenzig Road resident.

Mr. Fifer stated that he has received the information but he has not yet sent the letter.

Mr. Solomon asked if we have the Vac Truck yet.

Mr. Dixon stated that they have not but he needed to know if they wanted to use the current truck as a trade in for \$20,000.

Mr. Kochert moved that they trade it in, **Mr. Utz** second, all voted in favor.

SEWER ADJUSTMENTS:

NEW BUSINESS:

Item #1 - John Kraft re: signatures on Wright Woods Plat 1321

Mr. Kraft presented Plat #1321 for Wright Woods to signed

It was signed by the board.

Item #1 - Missy Jacobs, Floyd County Solid Waste re: Hazmat building

Ms. Jacobs stated that is it a Household Waste facility and

Mayor Garner asked if the building is going to fit because it is bigger than what they were originally told.

Ms. Jacobs told them that the bigger building cost the same as the smaller so they went with the bigger one and that they measured and it will fit.

Mr. Fifer recommended that they have Warren come down to the Plant and they can paint the foot print of where the building will sit.

Item #2 - Committee meetings with EMC

Mr. Solomon stated that he felt that we need to have EMC and MI2 together in a same room to go over the MI2 report.

Mayor Garner did not feel that was appropriate.

Item #3 - Utility Manager

Mr. Solomon stated that he has been suggesting that the Utility would be better served if we had a utility Manager that was looking out for the City's interest. He presented job descriptions to the board members and he thinks that this should be presented to the council.

Mayor Garner asked if he would like to recommend this position to the council with a salary attached.

Mr. Solomon stated that he did. He explained that the utility is big enough that we need a utility manager for EMC and consultants to have a point person within the city so that a lot of the issues can be handled outside of the meetings.

Mayor Garner asked what salary they need to appoint to this.

Mr. Solomon stated that it should be at least \$75,000 to attract a qualified individual.

Mr. Solomon made a motion to make a recommendation to create a sanitary sewer utility manager at a salary up to \$75,000 with benefits, Mr. Kochert second, all voted in favor.

Mayor Garner stated that they would prepare an ordinance for the next council meeting.

Mr. Kochert informed Mr. Fifer that the council would like for him to come to the next meeting to give an up-date on the credits.

Mr. Fifer stated that he would come and remind them of the process for the allocation of the credits from EPA. He stated that we really need to have a work session prior to the March 22 meeting for an hour.

There was a lengthy discussion as to what needs to be discussed and how the work session will operate.

Mr. Solomon discussed the amount of tap in fees that could be brought in if they did the build out in Basin 35 and 40.

OLD BUSINESS:

Item #2 - Clark Dietz re: Project Update

Mr. Christmas reported on the Robert E. Lee lift station and the Team Invoice. On the last invoice that Team submitted there was a total of about \$30,000 that was going to be held back for reseeding and tree mitigation and the invoice number 6 was prepared with that in mind.

Mr. Dixon stated that he prepared the invoice based on the work that was done. The amount in parenthesis wasn't in the invoice so he didn't put it in the invoice but he wanted to ask the board to issue a check for the amount.

Mr. Christmas explained that it just so happens that they have two amounts that are the same and that this is what is causing the confusion, but that they are two separate totals but they are basically due \$30,000 and they have an \$30,000 holding once the work is complete.

Mr. Dixon stated that he just wanted to make sure everyone was clear before Mrs. Garry released the money.

Mr. Christmas had an up-date on the Lafollette area. He said that they are gathering information from the different developers and then they will look at all the alternatives for tying into these lines.

Mr. Solomon stated that this is something they have to be aware of because the contractors will either have to tie into the force main or they will have to put regional pump stations in this area.

Mr. Fifer asked if we have two ½ inch rain events since the flow meters were installed.

Mr. Dixon stated that they have not.

Mr. Christmas stated that in Basin 18 additional flows are coming in through the cap and he presented a proposal for the design of the relief for Basin 18. Said proposal is on file with the City Clerk's office.

There was a discussion regarding the pipe sizes and costs involved in the project.

Mayor Garner asked if they would be going down the middle of Zurschmiede Drive because he does not want to go down the middle of the street and not pave the whole street again.

Mr. Dixon asked if these pipe sizes would accommodate any additional development because he believes that there is a proposed development in this area.

Mayor Garner asked Mr. Christmas to have Hans tell them how much potential flow this can handle.

Item #3 - Donohue re: Project Update

Paul Elling presented the board with maps for the graphic portion of the Capital Plan presentation showing where the proposed projects for the next 5 years are located. He stated if anyone wanted to make any changes to contact him.

Mr. Dixon presented the spreadsheet that coincides with the maps.

Mr. Zurschmiede asked if they could add the dollar amount on the amounts for the projects.

Mr. Solomon asked if they could use the same title for the projects list on the maps and the spreadsheet.

There was a lengthy discussion as to other changes that the board felt needed to be made to make the information more understandable for the city council.

Mr. Elling gave a report on the phase I work done on 15th Street and the billing. He informed them that the billing does not include the Geotechnical work because they had not yet received the bill. He reported that the master plan has been completed and he presented them with the report at the last meeting.

EMC REPORT:

Rob Sartell reported that he received a cost of \$13,500 for an independent float system for the 10th street lift station. He also reported that he received a Tort claim from the historical district for a property on 1605 Spring Street.

Mr. Solomon asked if he only got a quote for the 10th Street lift station.

Mr. Sartell stated that he did not get any other quotes because he felt that Delta's was a reasonable quote.

Mr. Solomon made a motion to pay Delta Electric \$13, 500 for the float system for

the 10th Street lift station, Mr. Utz second, all voted in favor.

Mr. Solomon asked how long this will take.

Mr. Sartell stated about 13 days.

Mayor Garner stated to go back to the Tort claim.

Mr. Sartell stated that it was a total of \$767.00 for cleaning and plumbing services.

Mr. Fifer stated that we need to study it further.

Mr. Solomon asked if we could hold up on this.

Mr. Sartell stated that they also received a list of SSO’s from K & E Environmental for the past 2 years.

BIDS:

CLAIMS:

Mr. Dixon presented the following invoices for approval:

Donohue & Associates	task order 1, 2 &3	\$17,647.94
CDI	invoice 41295	\$15,092.52
	Invoice 41130	\$1, 400.00
Melhisier Endres & Tucker	invoice 155697	\$2,756.00

Mayor Garner proposed holding the Melhisier, Endris and Tucker until after they talk with Mark about the indescrepancies that Mrs. Garry told them about.

Mr. Solomon motioned to approve the invoices minus the Melheiser invoice, Mr. Utz second, all voted in favor.

Mr. Solomon asked about the sewer back-up policy.

Mr. Fifer stated he has not had time to work on that.

Mr. Dixon stated that he is informing people that they have to pay up front and then present a tort claim to the city.

Mr. Solomon asked if they were going to get an up-dated cleaning and televising list.

Mr. Dixon stated that he was working on that.

ADJOURNMENT:

There being no further business before the Sewer Board, the meeting adjourned at 6:45 p.m.

Respectfully submitted,

Mayor James Garner, Chairman

Marcey J. Wisman, City Clerk